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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**

**FOR THE EASTERN DISTRICT OF CALIFORNIA**

DAVID GUIDRY an individual;

Plaintiff,

v.

CITY OF STOCKTON, a municipal  
corporation; DANIEL GRAUMAN, in his  
individual capacity and as a City of  
Stockton Police Officer; SEAN  
MCPHERSON, in his individual capacity  
and as a City of Stockton Police Officer;  
JEREMIAH SKAGGS, in his individual  
capacity and as a City of Stockton Police  
Officer; ZACHARY ADAMS, in his  
individual capacity and as a City of  
Stockton Police Officer; and DOES 1-50,  
inclusive.

Defendants.

Case No.: 2:21-cv-01238-TLN-JDP

**STIPULATION AND ORDER  
GRANTING PLAINTIFF LEAVE TO  
FILE A SECOND AMENDED  
COMPLAINT**

1 Plaintiff and Defendants, by and through their designated counsel, hereby stipulate and  
2 agree as follows:

3 WHEREAS, on July 14, 2021, Plaintiff filed his Complaint (ECF No. 1);

4 WHEREAS, on August 18, 2021, Defendants filed their Answer to Plaintiff's Complaint  
5 (ECF No. 7);

6 WHEREAS, on October 26, 2021, Plaintiff and Defendants stipulated to grant Plaintiff  
7 with leave to file a First Amended Complaint, which this Court granted on October 27, 2021 (ECF  
8 No. 12);

9 WHEREAS, on November 3, 2021, Defendants served Plaintiff with their Initial  
10 Disclosures pursuant to Federal Rule of Civil Procedure 26, which included body-worn camera  
11 video footage of the subject incident;

12 WHEREAS, based on Plaintiff's counsel review of Defendants' Rule 26 Disclosures and  
13 body-worn camera video footage of the subject incident, Plaintiff's counsel has determined there  
14 is good cause to amend the now-operative First Amended Complaint to assert claims for First  
15 Amendment Retaliation and Municipal Liability against Defendants;

16 WHEREAS, a copy of Plaintiff's Proposed Second Amended Complaint is attached hereto  
17 as "Exhibit A."

18 WHEREFORE, IT IS HEREBY STIPULATED, as follows:

19 1. Upon entry of this Stipulation, Plaintiff shall be granted leave to file the Proposed  
20 Second Amended Complaint attached hereto as Exhibit A;

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23 ///

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2. Defendants shall file their responsive pleading to the Second Amended Complaint within thirty (30) days after the Second Amended Complaint is filed;

**IT IS SO STIPULATED.**

Date: May 8, 2022

**POINTER & BUELNA, LLP  
LAWYERS FOR THE PEOPLE**

/s/ Patrick Buelna  
PATRICK M. BUELNA  
ADANTE D. POINTER  
COUNSEL FOR PLAINTIFF

Dated: May 9, 2022

**THE SLATER LAW FIRM, APC**

By: /s/ Michael A. Slater  
MICHAEL A. SLATER  
COUNSEL FOR PLAINTIFF

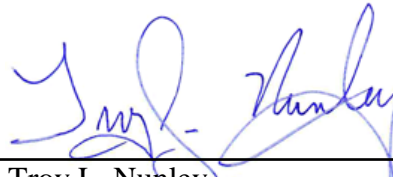
Dated: As authorized on May 9, 2022

**MAYALL HURLEY**

By: /s/ Mark Berry  
MARK EMMETT BERRY  
COUNSEL FOR DEFENDANTS

**IT IS SO ORDERED.**

Dated: May 9, 2022

  
Troy L. Nunley  
United States District Judge